

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

METROPOLITAN LIFE INSURANCE
COMPANY, a New York corporation,

Plaintiff,

v.

ACDF, LLC, a California limited liability
company, *et al.*,

Defendants.

Case No. 1:24-cv-01261-KES-SAB

ORDER CONSOLIDATING, FOR
ADMINISTRATIVE PURPOSES,
RELATED RECEIVERSHIP CASES
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 42(a)

METROPOLITAN LIFE INSURANCE
COMPANY, a New York corporation,

Plaintiff,

v.

FNF FARMS, LLC, a California limited
liability company, *et al.*,

Defendants.

Case No. 1:24-cv-01226-KES-SAB

ORDER CONSOLIDATING, FOR
ADMINISTRATIVE PURPOSES,
RELATED RECEIVERSHIP CASES
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 42(a)

METROPOLITAN LIFE INSURANCE
COMPANY, a New York corporation,

Plaintiff,

v.

C & A FARMS, LLC, a California limited
liability company, *et al.*,

Defendants.

Case No. 1:24-cv-01230-KES-SAB

ORDER CONSOLIDATING, FOR
ADMINISTRATIVE PURPOSES,
RELATED RECEIVERSHIP CASES
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 42(a)

METROPOLITAN LIFE INSURANCE
COMPANY, a New York corporation,

Plaintiff,

v.

MARICOPA ORCHARDS, LLC, a California
limited liability company, *et al.*,

Defendants.

Case No. 1:24-cv-01231-KES-SAB

ORDER CONSOLIDATING, FOR
ADMINISTRATIVE PURPOSES,
RELATED RECEIVERSHIP CASES
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 42(a)

BRIGHTHOUSE LIFE INSURANCE
COMPANY, a Delaware corporation,

Plaintiff,

v.

KAMM SOUTH, LLC, a California limited
liability company, *et al.*,

Defendants.

Case No. 1:24-cv-01232-KES-SAB

ORDER CONSOLIDATING, FOR
ADMINISTRATIVE PURPOSES,
RELATED RECEIVERSHIP CASES
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 42(a)

BRIGHTHOUSE LIFE INSURANCE
COMPANY, a Delaware corporation,

Plaintiff,

v.

MANNING AVENUE PISTACHIOS, LLC, a
California limited liability company, *et al.*,

Defendants.

Case No. 1:24-cv-01233-KES-SAB

ORDER CONSOLIDATING, FOR
ADMINISTRATIVE PURPOSES,
RELATED RECEIVERSHIP CASES
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 42(a)

BRIGHTHOUSE LIFE INSURANCE
COMPANY, a Delaware corporation,

Plaintiff,

v.

C & A FARMS, LLC, a California limited
liability company, *et al.*,

Defendants.

Case No. 1:24-cv-01235-KES-SAB

ORDER CONSOLIDATING, FOR
ADMINISTRATIVE PURPOSES,
RELATED RECEIVERSHIP CASES
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 42(a)

METLIFE REAL ESTATE LENDING, LLC, a
Delaware limited liability company,

Plaintiff,

v.

PANOCHÉ PISTACHIOS, LLC, a California
limited liability company, *et al.*,

Defendants.

Case No. 1:24-cv-01241-KES-SAB

ORDER CONSOLIDATING, FOR
ADMINISTRATIVE PURPOSES,
RELATED RECEIVERSHIP CASES
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 42(a)

Upon due consideration of Plaintiff Metropolitan Life Insurance Company's ("Plaintiff") Motion To Consolidate, for Administrative Purposes, Related Receivership Cases (the "Motion"), Ex Parte Application, for good cause appearing therefor, and the Court being advised that the relief granted herein is agreed to or otherwise unopposed by each of the identified Parties, Intervenor and Interested Parties to the above-captioned case and Related Cases: (1) Plaintiff; (2) METLIFE REAL ESTATE LENDING, LLC; (3) BRIGHTHOUSE LIFE INSURANCE COMPANY; (4) Receiver PHILLIP CHRISTENSEN; (5) Defendant MARICOPA ENTITIES;¹ (6) NON-MARICOPA Defendants and Interested Parties;² (7) Intervenor U.S. BANK, NATIONAL ASSOCIATION; and (8) Receiver LANCE MILLER;

¹ ACDF, LLC, a California limited liability company, as successor by merger to 104 PARTNERS, LLC; WILLOW AVENUE INVESTMENTS, LLC; MARICOPA ORCHARDS, LLC; KAMM SOUTH, LLC; MANNING AVENUE PISTACHIOS, LLC; C & A FARMS, LLC; CANTUA ORCHARDS, LLC; FNF FARMS, LLC; and PANOCHÉ PISTACHIOS, LLC.

² DUMAR, LLC; PISTACHE, LLC; ASHLAN & HAYES INVESTMENTS, LLC; FARID ASSEMI, FARSHID ASSEMI, DARIUS ASSEMI, DONALD E. SCHRAMM and NADA L.

The Court hereby ORDERS, pursuant to Federal Rule of Civil Procedure 42(a), as follows:

- 1) The “Lead Case” for administrative consolidation is *Metropolitan Life Insurance Company v. ACDF, LLC, et al.*, U.S. District Court, Eastern District of California, Case Number 1:24-cv-01261;
- 2) The cases (“Receivership Cases”) for administrative consolidation into the Lead Case are: Related Case Nos.: 1:24-cv-01226; 1:24-cv-01230; 1:24-cv-01231; 1:24-cv-01232; 1:24-cv-01233; 1:24-cv-01235; and 1:24-cv-01241;
- 3) The approved caption that shall be used for any consolidated filing is attached hereto at Exhibit 1;
- 4) Matters appropriate for consolidated filing in the Lead Case shall include filings and reports applicable to the receivership(s) and the continuation or scope thereof in the Lead Case and the Receivership Cases, including: requests to intervene by an interested party; motions and other filings relating to the continuation or scope of receivership by any Party, Intervenor or Receiver Phillip Christensen; filings of Receiver Phillip Christensen as made necessary or appropriate by any Order Appointing Receiver and for Preliminary Injunction; Party and Intervenor Status Reports that are or may be required by the Court in advance of any Status Conference regarding receivership; requests by any Party or Intervenor to appear via Zoom video teleconferencing or telephone as otherwise permitted by the Court; and, any other matters as ordered by the Court *sua sponte* or otherwise on regularly-noticed motion, unless on an *ex parte* basis only for good cause appearing;
- 5) Except as set forth in paragraph 4 above, matters not appropriate for consolidated filing without further order of the Court, and which shall be filed in specific Receivership Cases include:

SCHRAMM REVOCABLE LIVING TRUST; THE THOMSEN FAMILY TRUST; DANIEL L. SWEET; CAROLE A. SWEET; DONALD E. SCHRAMM; NADA L. SCHRAMM; KEITH A. THOMSEN and CATHERINE S. THOMSEN, deceased.

- a. Pleadings, motions, amended pleadings pursuant to Federal Rules of Civil Procedure 1 through 25;
- b. Discovery and discovery related motions pursuant to Federal Rules of Civil Procedure 26 through 37;
- c. Any filings not limited to motions relating to the pleadings pursuant to Federal Rules of Civil Procedure 38 through 63; and
- d. Any judgment, post-judgment or remedial filings pursuant to Federal Rules of Civil Procedure 64 through 71.

6) A consolidated service list shall be created by Plaintiff for the jointly administered, consolidated cases and shall be used with any consolidated filing;

7) The consolidated service list shall be filed by Plaintiff in the Lead Case no later than 24 hours following the entry of this Order;

8) Plaintiff shall serve this Order within 48 hours of its entry on any Parties in the Receivership Cases who have not appeared by the time this Order is entered.

This Order is intended and shall be interpreted solely for purposes of administrative efficiency, *see Hall v. Hall*, 138 S. Ct. 1118 (2018); 3 J. Moore & J. Friedman, *Moore's Federal Practice* § 42.01, pp. 3050–3051 (1938), and shall not change or otherwise prejudice the substantive rights of any Party to any of the Receivership Cases. Without limiting the generality of the foregoing, the Court rules that this Order does not consolidate or otherwise change the separateness of any assets or liabilities of any party, or of the Receivership estates identified in the Receivership Cases.

IT IS SO ORDERED.

Dated: December 12, 2024


UNITED STATES DISTRICT JUDGE

EXHIBIT 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

METROPOLITAN LIFE INSURANCE
COMPANY, a New York corporation,

Plaintiff,

vs.

ACDF, LLC, a California limited liability
company, *et al.*,

Defendants.

Lead Case No. 1:24-cv-01261-KES-SAB

Consolidated with Case Nos:
1:24-cv-01226; 1:24-cv-01230;
1:24-cv-01231; 1:24-cv-01232;
1:24-cv-01233; 1:24-cv-01235; and
1:24-cv-01241

[TITLE]

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- ☐ Affects All Cases
 - ☐ Affects Metropolitan Life Ins. Co. v.
ACDF, LLC, et al., 1:24-cv-01261
 - ☐ Affects Metropolitan Life Ins. Co. v. FNF
Farms, LLC, et al., 1:24-cv-01226
 - ☐ Affects Metropolitan Life Ins. Co. v. C &
A Farms, LLC, et al., 1:24-cv-01230
 - ☐ Affects Metropolitan Life Ins. Co. v.
Maricopa Orchards, LLC, et al., 1:24-cv-
01231
 - ☐ Affects Brighthouse Life Ins. Co. v.
Kamm South, LLC, et al., 1:24-cv-01232
 - ☐ Affects Brighthouse Life Ins. Co. v.
Manning Avenue Pistachios, LLC, et al.,
1:24-cv-01233 Case No. 1:24-cv-01233
 - ☐ Affects Brighthouse Life Ins. Co. v.
ACDF, LLC, et al., 1:24-cv-01235
 - ☐ Affects MetLife Real Estate Lending,
LLC v. Panoche Pistachios, LLC, et al.,
1:24-cv-01241
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